

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD A. EVANS,

Plaintiff,

v.

R. MILAM, FNU LEFFMAN, S.
SHERMAN,

Defendant.

Case No. 1:20-cv-00070-AWI-HBK

ORDER NOTING OBJECTIONS FOR THE
RECORD

ORDER GRANTING THIRTY-DAY
ENLARGEMENT OF TIME

(Doc. No. 133, 134)

Pending before the Court is Plaintiff's second motion for an engagement of time to file objections to the Court's July 16, 2021 Findings and Recommendations, filed on August 5, 2021. (Doc. No. 134). Plaintiff additionally filed a pleading titled "Objection to Denial of Motion of 11/26/202: Feds to relieve CDCR, Failure to Protect Population" on August 4, 2021. (Doc. No. 133, "Objection"). The Court will address both pleadings in this Order.

The Court previously granted Plaintiff a fourteen-day enlargement of time to file objections to the July 16 Findings and Recommendations (F&R). (*See* Doc. No. 132). Plaintiff now seeks an additional thirty-day enlargement of time to file objections to the Court's July 16 F&R because he underwent surgery and limited access to the law library. (Doc. No. 134 at 1). The Court afford Plaintiff an additional thirty days from receipt of this order to file his objections to the July 16 F&R. At expiration of such time, the Court will consider the July 16 F&R ripe for

1 review.

2 Turning to the Objection, Plaintiff states he wishes to challenge the Order ruling on his
3 motion filed November 26, 2020. (Doc. 133 at 1). The docket reveals no motion filed by
4 Plaintiff on that date. (*See* docket). To the extent discernable, Plaintiff's Objection appears to
5 challenge the Court's July 21, 2021 Order (Doc. No. 128) denying Plaintiff's request for judicial
6 notice, striking it, and advising Plaintiff that motions not properly styled as a motion or other
7 pleading recognized under the Federal Rules of Civil Procedure will be stricken from the record
8 and or returned to him without further notice. (*Id.*). Other than stating his objections and
9 complaining how correctional officials are handling the Covid-19 pandemic, the Objection
10 requests no relief. (*See generally* Doc. No. 133). In contrast, Plaintiff's First Amended
11 Complaint complains about general conditions of Plaintiff's confinement, not conditions related
12 to Covid-19.

13 Accordingly, it is **ORDERED**:

14 1. Plaintiff's motion for an enlargement of time (Doc. No. 134) is GRANTED. Plaintiff
15 shall have thirty (30) days from receipt of this order to file his Objections to the Court's July 16,
16 2021 Findings and Recommendations. At expiration of such time, the July 16 Findings and
17 Recommendations will be considered ripe for review. No further enlargements of time will be
18 considered.

19 2. Plaintiff's Objection (Doc. No. 133) is noted.

20
21 Dated: August 9, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE